CA3ON
NF A05
-M31

MINUTES

OF THE

First Regular Session

OF THE

TWENTY-FIRST COUNTY COUNCIL,

OF THE

COUNTY OF NORFOLK

LIBRARY
APR 14 1967
UNIVERSITY OF TORONTO
ONT

D. MATTHEWS, Esqr., Warden. | JAS. ERMATINGER, Esqr., Clerk.

SIMCOE:
Printed at The British Canadian Job Printing Establishment.
1870.

MINUTES

OF THE

First Regular Session

OF THE

TWENTY-FIRST COUNTY COUNCIL,

OF THE

COUNTY OF NORFOLK

D. MATTHEWS, Esqr., Warden. | JAS. ERMATINGER, Esqr., Clerk.

SIMCOE:
Printed at The British Canadian Job Printing Establishment.
1870.

MINUTES OF THE FIRST REGULAR SESSION

OF THE

TWENTY-FIRST COUNTY COUNCIL

OF THE

COUNTY OF NORFOLK.

TUESDAY, 25TH JANUARY, 1870, FIRST DAY OF THE FIRST REGULAR SESSION OF THE TWENTY FIRST COUNTY COUNCIL.

Pursuant to adjournment, the Twenty-first County Council of the Municipality of Norfolk, met for the despatch of business.

The Members elected to represent the interests of the Minor Municipalities were called to order by the Clerk of the County Council, who proceeded to call the roll of the Municipalities in alphabetical order, examining the credentials of the Members for the same, as they occurred in the following order, viz. :

Municipalities	Names of Members	Office.	Certified by
Charlotteville...	Danl. A. McCall.....	Reeve	John Machon.
Do.	William Cowan.....	D'y. Reeve	Do.
Houghton	Thomas Chamberlin	Reeve	William Freeland.
Middleton.....	Jacob Sovereen.....	Reeve	J. C. H. Herron.
Do.	John Ostrander.....	D'y. Reeve	Do.
Simcoe, (Town)	Dr. John Wilson.....	Reeve	W.W. Livingstone
Townsend.....	Thomas W. Clark....	Reeve	Nelson Boughner.
Do.	John Challen.....	D'y. Reeve	Do.
Do.	Jsaac G. Wyckoff....	D'y. Reeve	Do.
Walsingham ...	Matthias Holtby.....	Reeve	Rich. Richardson.
Do.	Nathan Mansell.....	D'y. Reeve	Do.
Windham	Daniel Matthews.....	Reeve	Geo. F. Marter.
Do.	Charles Robertson...	D'y. Reeve	Do.
Woodhouse.....	Ozias Ansley.....	Reeve	Thos. M. England.
Do.	Dr. Jas. W. Stewart.	D'y. Reeve	Do.

The Clerk having found them correct, the election of Warden being the first order of the day, it was

No. 1.—On motion of Mr. Holtby, seconded by Mr. Clark,

Ordered,

That Daniel Matthews, Esq., be, and he is hereby elected Warden of this County, for the current year.

Carried unanimously.

The Warden subscribed his declaration of office before his honor, Wm. M. Wilson, Esq., Judge of the County of Norfolk, and the whole Council.

The Warden, on assuming the Chair, thanked the Council for the honor conferred upon him.

The minutes of the two last days of the December session were read and approved.

The Warden read the several communications which have been received during the recess, which were laid on the table.

No. 2.—On motion of Mr. Holtby, seconded by Mr. Clark,

Ordered,

That the following members compose the Sessional Committees, viz. :—

ON FINANCE.

Messrs. the Warden, Clark, Ansley, Sovereen, Chamberlin, Wilson, McCall, and Holtby.

ON PUBLIC BUILDINGS.

Messrs. Challen, Ostrander, Robertson, Cowan, Dr. Stewart, Wyckoff, and Mansell.

ON EDUCATION.

Messrs. the Warden, Clark, Wilson, Ansley, Chamberlin, and Dr. Stewart.

ON ROADS AND BRIDGES.

Messrs. Challen, Cowan, Ostrander, Dr. Stewart, Wyckoff, and Mansell.

Mr. Chamberlin took his seat at the Council board, his qualification having been read by the Warden.

No. 3.—On motion of Mr. Sovereen, seconded by Mr. McCall,

Ordered,

That William Sharpe and Wm. Findlay, Esqrs., be, and are hereby appointed Auditors for the current year; the former being the nominee of the Warden.

No. 4.—On motion (in amendment) of Dr. Wilson, seconded by Mr. Robertson,

Ordered,

That William Sharpe, Esq., as nominee of the Warden, and

W. P. Street, Esq., be and are hereby appointed Auditors for the current year.

Debates arose thereon, and a division being asked, it was negatived by a majority of six.

YEAS—Mr. Robertson, and Drs. Wilson and Stewart,.....3.

NAYS—Messrs. Clark, Holtby, Challen, Wyckoff, Chamberlin, Sovereen, Ostrander, McCall, and Cowan,.....9.

The original motion was then carried unanimously.

No. 5.—On motion of Mr. Holtby, seconded by Mr. Mansell,

Ordered,

That the Treasurer's Report be referred to the committee on finance, with power to report thereon by bill or otherwise.

No. 6.—On motion of Mr. Clark, seconded by Dr. Wilson,

Ordered,

That the tenders for the office of Medical Superintendent of the Gaol and Poor House be referred to the committee on finance, with power to report thereon by bill or otherwise.

No. 7.—On motion of Mr. Holtby, seconded by Mr. Mansell,

Ordered,

That the report of the Gaol Surgeon be referred to the committee on Public Buildings, with power to report thereon by bill or otherwise.

No. 8.—On motion of Dr. Wilson, seconded by Dr. Stewart,

Ordered,

That the communication of Hugh Smith, Esq., County Clerk of the County of Lambton, with copies of Memorial, be referred to the committee on finance, with power to report thereon by bill or otherwise.

No. 9.—On motion of Mr. Challen, seconded by Mr. Wyckoff,

Ordered,

That the case of John Bloomfield, an indigent person, be referred to the committee on finance, with power to report thereon by bill or otherwise.

No. 10.—On motion of Mr. Holtby, seconded by Mr. Mansell,

Ordered,

That this Council do now adjourn, to meet again to-morrow.

And the Council adjourned accordingly.

Attest,

JAS. ERMATINGER,
County Clerk,
County of Norfolk.

WEDNESDAY, 26TH JANUARY, 1870, SECOND DAY OF THE FIRST REGULAR SESSION OF THE TWENTY-FIRST COUNTY COUNCIL.

The Council met pursuant to adjournment.

The Warden in the Chair.

The roll was called, and the following Members answered to their names, viz. :—Messrs. the Warden, Stewart, Clark, Wilson, McCall, Sovereen, Ostrander, Challen, Wyckoff, Robertson, Chamberlin, Cowan, Holtby, and Mansell.

The Minutes of the first day of this session were read and approved.

Communications read by the Warden were laid on the table.

No. 1.—On motion of Mr. Sovereen, seconded by Mr. Robertson, *Ordered*,

That the report of the select committee of the County Council of Oxford, relating to import duties on breadstuffs, received from the County Clerk of Oxford, be referred to a special committee of the whole Council, with power to report thereon by bill or otherwise.

Mr. Challen brought up the first report of the committee on Public Buildings, on the Gaol Surgeon's report.

No. 2.—On motion of Mr. Mansell, seconded by Mr. Wyckoff, *Ordered*,

That the said report be received and adopted.

The report read and adopted is as follows, viz. :

"Your committee, to whom the above order was referred, beg respectfully to report : That they have carefully considered the same, and express one opinion, that they do not concur in the opinion of the Gaol Surgeon : "that the establishment of the Poor House has not lessened his duties." They would call the attention of your honorable body to the third clause of the said report, recommending the carrying out of a system of sewerage as commenced, and in conjunction with the Corporation of the Town of Simcoe.

"With pleasure we observe reference made to the cleanliness and good sanitary condition of the Gaol, so far as the improvements to that end have been carried out, together with the strict dietary observance by the Gaoler and his assistants.

"The fourth and fifth clauses, referring to the tendering for the office of Gaol and Poor House Medical Superintendent, the tenders

being before the finance committee, we leave to that committee to report thereon.

All of which is respectfully submitted.

JOHN CHALLEN, Chairman,
CHARLES ROBERTSON,
NATHAN MANSELL,
J. G. WYCKOFF,
WM. COWAN,
JOHN OSTRANDER.

Committee Room, 26th Jany., 1870."

Mr. Clark brought up the first report of the committee on finance, on the Treasurer's Report.

No. 3.—On motion of Mr. Clark, seconded by Mr. Holtby,

Ordered,

That the report now read be received and adopted.

The report read and adopted is as follows, viz. :

"Your committee, to whom was referred the above order, beg leave to report : That having carefully examined the same, they find a balance on hand for general purposes of $12407.95, which is highly satisfactory ; and would recommend the said Report to be filed in the Clerk's office, for future reference.

All of which is, nevertheless, respectfully submitted.

THOS. W. CLARK, Chairman,
MATTHIAS HOLTBY,
JOHN WILSON,
DANIEL MATTHEWS,
DANL. A. McCALL,
JACOB SOVEREEN,
THOMAS CHAMBERLIN.

Committee Room, 26th Jany., 1870."

Mr. Clark brought up the second report of the committee on finance, on tenders for the office of Medical Superintendent of the Gaol and Poor House.

No. 4.—On motion of Mr. Clark, seconded by Dr. Wilson,

Ordered,

That the said report be received and adopted.

The report read and adopted is as follows, viz. :

"Your committee, to whom was referred the above order, beg leave to report : That they have carefully examined the several tenders placed before them for the office of Medical Superintendent of the Gaol and Poor House, viz. : from C. W. Covernton, M.D., G. Stanton, M.D., John Clarke and W. York, M.Ds., and James Hayes, M.D. ; and are of opinion that the tender of Dr. James Hayes would be the most advantageous to the County, and would therefore recom-

mend him to be appointed Medical Superintendent of the Gaol and Poor House, for the year 1870, at a salary of $175.

"Your committee would further recommend that the portion of the report adopted on the 5th of December last, motion No. 2, relating to the salary of the Medical Superintendent of the Poor House, be rescinded.

All of which is, nevertheless, respectfully submitted.

THOS. W. CLARK, Chairman,
MATTHIAS HOLTBY,
JOHN WILSON,
D. A. McCALL,
JACOB SOVEREEN,
THOMAS CHAMBERLIN.

Committee Room, 26th Jany., 1870."

No. 5.—Mr. Sovereen gives notice that he will, on to-morrow, introduce a By-Law to appoint certain officers, and for other purposes.

No. 6.—Mr. Sovereen gives notice that he will, on to-morrow, introduce a motion relating to a Railway.

No. 7.—Mr. Challen gives notice that he will, on to-morrow, introduce a resolution to provide for the relief of the indigent poor of the County.

No. 8.—On motion of Mr. Holtby, seconded by Mr. Mansell,

Ordered,

That the Clerk be, and he is hereby instructed to procure a copy of the Statutes of the Province of Ontario, for the County Clerk and for each member of this Council, and for the Clerks of the Minor Municipalities; and that the Warden do issue his check on the County Treasurer for the payment of the same.

No. 9.—On motion of Mr. Holtby, seconded by Mr. Mansell,

Ordered,

That the report of the Port Rowan and Middleton Plank Road Company be received and filed in the Clerk's office.

No. 10.—On motion of Mr. Holtby, seconded by Mr. Mansell,

Ordered,

That the fees of Returning Officers for the taking of votes on the By-Law relating to the Norfolk Railway, be paid by the several Minor Municipalities of this County.

No. 11.—On motion of Dr. Stewart, seconded by Dr. Wilson,

Ordered,

That this Council do now adjourn, to meet again at 11 a.m. to-morrow.

And the Council adjourned accordingly.

Attest,

JAS. ERMATINGER,
County Clerk,
County of Norfolk.

THURSDAY, 27TH JANUARY, 1870, THIRD DAY OF THE FIRST REGULAR SESSION OF THE TWENTY-FIRST COUNTY COUNCIL.

The Council met pursuant to adjournment.

The Warden in the Chair.

The roll was called, and the following Members answered to their names, viz. :—Messrs. the Warden, Stewart, Clark, Wilson, McCall, Sovereen, Ostrander, Challen, Wyckoff, Robertson, Chamberlin, Cowan, Holtby, and Mansell.

Mr. Clark brought up the third report of the finance committee, on the communication of the County Clerk of Lambton.

No. 1.—On motion of Mr. Clark, seconded by Mr. Challen,

Ordered,

That the said report be received and adopted.

The report read and adopted is as follows, viz. :—

"Your committee, to whom the above order was referred, haveing carefully considered the expediency of removing the duty on refined petroleum, the subject of the communication, would state that the excise duty on refined petroleum is levied for revenue purposes, and not being able to suggest other means of raising the revenue derived therefrom, they recommend that no action be taken by this Council in the matter.

All of which is, nevertheless, respectfully submitted.

THOS. W. CLARK, Chairman,
JACOB SOVEREEN,
THOMAS CHAMBERLIN.
D. A. McCALL,
MATTHIAS HOLTBY,

Committee Room, 27th Jany., 1870."

No. 2.—On motion of Mr. Holtby, seconded by Mr. Mansell,

Ordered,

That the following gentlemen be, and they are hereby appointed Trustees of the different Grammar Schools in this County, viz. :

For Simcoe—W. M. Wilson, Esq., in place of Dr. Covernton, resigned; John Wilson, M.D., in place of H. Groff, Esq., resigned; D. Matthews, Esq., Warden of the County, re-appointed.

Walsingham and Houghton Grammar School—J. L. Dedrick, re-appointed, and William Ross, Esq.

Dover Grammar School—T. L. Gillies, and Francis Porrett, Esqs.

MEMORANDUM.

The term of office of the remaining Trustees terminates as follows :

Simcoe—Wm. M. Wilson, Esq., 1871.

Walsingham and Houghton—B. Killmaster and R. Richardson, Esqs., 1871.

Port Dover—A. Lees and B. Vary, Esqs., 1871.

No. 3.—On motion of Mr. Holtby, seconded by Mr. Mansell,

Ordered,

That the following gentlemen be, and they are are hereby appointed Local Superintendents of Education for the several Minor Municipalities of this County for the current year, viz. :

Charlotteville.....Jas. Covernton, Esq.,...Vittoria P. O.
Houghton, ...D. C. Brady, Esq.,.....Houghton Centre P. O.
Middleton,.....C. S. Harris, Esq.,.....Courtland P. O.
Townsend, ...Rev. J. Vanloon, ...Boston P. O.
Walsingham, ...John Phelan, M. D.,...Pleasant Hill P. O.
Woodhouse,.....Rev. Wm. Cragie,.....Port Dover P. O.
Windham, ...D. W. Freeman, Esq., Simcoe P. O.

No. 4.—On motion of Mr. Sovereen, seconded by Mr. Ostrander,

Ordered,

That after hearing the explanations from the Hon. Isaac Buchanan and Nichol Kingsmill, Esquire, acting on behalf of the Canada Southern Railway, it is the opinion of this Council that a railway line running from east to west through this County would greatly benefit it, and promote the agricultural, commercial, and forwarding interests of this County ; and we are therefore of the opinion that the ratepayers would sanction a By-Law to assist in the construction of the said Railway by taking stock, or in any other manner promote so desirable an object.

But we do not deem it expedient to name a sum that we would recommend to the ratepayers until the line is located, or the railway is in such a state of progress as will ensure its completion within a reasonable time.

No. 5.—On motion of Mr. Challen, seconded by Mr. Holtby.

Ordered,

Whereas in the absence of any Statute or By-Law defining the home of the indigent persons needing aid in the several Municipalities of this County, difficulties arise between the said Municipalities in reference thereto ;

Be it therefore resolved : That from and after this date all indigent persons requiring aid, shall be sent to the County Poor House, or supported from the funds of this County.

Be it further resolved : That all resolutions inconsistent with this resolution, shall be, and are hereby rescinded and repealed ; and the Corporate Seal of this County be attached to this resolution, to give it the effect of a By-Law.

No. 6.—On motion (in amendment) of Mr. McCall, seconded by Mr. Ostrander,

Ordered,

Whereas much time has been taken up by this Council in discussing the manner of supporting peculiar cases of the indigent poor, not fit subjects for the County Poor House ; it is the opinion of this Council that it would save time, and be more economical, for each Minor Municipality to provide for such cases.

Be it therefore resolved : That motion No. 3, of the 9th of December, 1869, be not rescinded, and that the amounts expended by the Minor Municipalities for the support of the poor from the 17th day of June last shall be bourn by and chargeable to them.

Discussions arose thereon, a division being called, the motion in amendment was carried by a majority of one.

YEAS—Messrs. Dr. Stewart, McCall, Sovereen, Chamberlin, Ostrander, Robertson, and Cowan.....7.

NAYS—Messrs. Clark, Wilson, Challen, Wyckoff, Holtby, and Mansell, ...6.

No. 7.—On motion of Dr. Wilson, seconded by Dr. Stewart,

Ordered,

That the Bill to provide for the appointment of Auditors of the accounts of the General Sessions of the Peace and of the County, notice of which was given yesterday, be now read a first time.

And the Bill was read a first time.

No. 8.—On motion of Mr. Robertson, seconded by Mr. Cowan,

Ordered,

That the said Bill be read a second time forthwith.

And the Bill was accordingly read a second time.

No. 9.—On motion of Mr. Holtby, seconded by Mr. Mansell,

Ordered,

That the first blank in the said Bill be filled up with the name of Daniel Matthews, Esq., and the second blank with the name of James Covernton, Esq.

And the blanks were so filled up.

No. 10.—On motion of Mr. Challen, seconded by Mr. Wyckoff,

Ordered,

That the said Bill be engrossed, and read a third time forthwith.

And it was engrossed and read a third time.

No. 11.—On motion of Dr. Wilson, seconded by Mr. Mansell,

Ordered,

That the said Bill do now pass and become a By-Law of this Council, and be entituled as in the caption thereof.

And the By-Law was passed, and is as follows, viz.:

BY-LAW No. 161.

A By-Law for the Appointment of Auditors for Auditing the Accounts of the General Sessions of the Peace, etc., in in this County.

WHEREAS by an amendment of the Law Reform Act of 1868, passed at the last session of the Parliament of Ontario, it is provided that a Board of Audit, (in place of Committees appointed by the Sessions,) consisting of the Chairman, and two persons appointed by the County Council, not more than one of whom shall be a member of such Council, shall be appointed annually, at the first meeting of said Council;

Be it therefore enacted by the Council of the Corporation of the County of Norfolk, in Council assembled: That Daniel Matthews and James Covernton, Esquires, be, and they are hereby appointed Auditors for the year one thousand eight hundred and seventy, who, with the Judge or Chairman of the General Sessions, shall form the Board of Audit as aforesaid, for the County of Norfolk.

Be it further enacted by the authority aforesaid: That the aforesaid Auditors shall be entitled to receive from the funds of the County a fee of two dollars each, for each and every audit held by them, in accordance with the above recited amended Act; and the County Treasurer is hereby authorized, on the certificate of the said Chairman, to pay the aforesaid fee.

Passed in open Council, on Thursday, 27th January, 1870.

DANL. MATTHEWS,
Warden.

Attest,
Jas. Ermatinger,
County Clerk,
County of Norfolk.

L. S.

No. 12.—On motion of Mr. Robertson, seconded by Mr. Cowan,
Ordered.
That the report of the County Auditors be received and adopted; and that the Warden be, and he is hereby authorized to issue his checks on the County Treasurer in favor of the claimants for the several amounts allowed.

No. 13.—On motion of Dr. Stewart, seconded by Dr. Wilson,
Ordered,
That the Clerk is hereby instructed to procure the publication of Fifty copies of the rules and regulations of the County Council, for distribution.

No. 14.—On motion of Mr. Holtby, seconded by Mr. Mansell,
Ordered,
That the County Surveyor be, and he is hereby instructed to get the stove in the Council Room repaired, if practicable, and if not, to replace the same by the purchase of a new stove suitable for the purpose required.

No. 15.—On motion of Mr. Challen, seconded by Mr. Robertson,
Ordered,
That that this Council do now go into committee of the whole to consider the communication of the County Clerk of the County of Oxford, relating to import duties on breadstuffs, &c.
The Council went into committee of the whole, Mr. Holtby being appointed Chairman by the Warden.
The committee arose to report.
The Warden in the Chair.
The roll was called, those members being present who answered to their names at the opening of this day's proceedings.
Mr. Holtby brought up the report of the committee of the whole.

No. 16.—On motion of Mr. Holtby, seconded by Mr. Mansell,
Ordered,
That the report of the committee of the whole be received and adopted.

The report read and adopted is as follows, viz.:

"Your committee, to whom was referred the above report of the committee of the County Council of Oxford, relating to the import duties on breadstuffs, &c., beg to report: That they carefully considered the subject contained therein, and would recommend that the Warden be requested to memoralize His Excellency, the Governor-General in Council, and both branches of the Legislature, on behalf of this Council, that a protective duty be imposed on all grains, breadstuffs, and such other articles, the products and manu-

factures of this Dominion, on which duties are imposed by the United States to our detriment.

All of which is respectfully submitted.

(Signed,) MATTHIAS HOLTBY, Chairman.

Committee Room, 27th Jany., 1870.

No. 17.—On motion of Dr. Wilson, seconded by Mr. Clark,

Ordered,

That the Warden be authorized to issue his check on the County Treasurer in favor of the following gentlemen, to reimburse them for expenses incurred in appearing before the Railway Committee at Toronto, in the interests of this County, on behalf of the Canada Southern Air Line Railway, viz. :

Daniel Matthews, Esq.,.....$12.00
Isaac Austin, Esq.,..... 12.00
Wm. Wallace, Esq.,..... 12.00

No. 18.—On motion of Mr. Sovereen, seconded by Mr. Cowan,

Ordered,

That the Warden, Dr. Wilson, and Thos. W. Clark, Esq., be, and they are hereby appointed a committee to advertise for and receive tenders, and enter into contract for the County Printing for the current year.

No. 19.—On motion of Mr. Robertson, seconded by Mr. Cowan,

Ordered.

That this Council do now adjourn, to meet again on the third Tuesday in June next.

And the Council adjourned accordingly.

Attest,
JAS. ERMATINGER,
County Clerk,
County of Norfolk.

Printed at THE BRITISH CANADIAN Job Printing Establishment, Simcoe